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JAMES LAMONT RICHARDSON

7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 JAMES LAMONT RICHARDSON,

15 Defendant.  
16

Case No. 1:97-cr-05129 JLT-1

**STIPULATION TO CONTINUE STATUS  
CONFERENCE; ORDER THEREON**

Date: January 22, 2024

Time: 10:00 a.m.

Judge: Hon. Jennifer L. Thurston

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18 **IT IS HEREBY STIPULATED** by and between the parties through their respective  
19 counsel that the status conference scheduled for October 17, 2023 at 10:00 a.m. should be  
20 continued to January 22, 2024 at 10:00 a.m.

21 Mr. Richardson's § 2255 motion is before this Court on remand from the Ninth Circuit  
22 for further proceedings in light of *United States v. Taylor*, 142 S. Ct. 2015 (2022). The parties  
23 are continuing to work diligently towards achieving a joint recommendation to the Court for  
24 resolution of this matter, and continue to make substantial progress towards that objective. Two  
25 issues have arisen that render one final continuance necessary.

26 First, investigation being conducted that has necessitated the appointment of CJA counsel  
27 for a potential witness has been delayed due to a delay in state court proceedings involving the  
28 potential witness. CJA counsel has met with the potential witness on numerous occasions but

1 has advised that the witness' state court proceedings need to resolve, which is expected to  
2 happen by the end of October 2023, before additional conversations can be productive.

3 Second, the government is transitioning counsel from Kirk Sheriff to Jeffrey Spivak. As  
4 previously discussed, this case is both complex and old, involving both a trial and a subsequent  
5 plea agreement approximately a year later.

6 Because the parties need additional time to investigate and understand the facts  
7 underlying Mr. Richardson's remaining convictions, one final continuance of the status  
8 conference in this case is in the interest of justice and reflects the most judicious use of the  
9 Court's resources. The parties continue to work towards a joint recommendation to the Court  
10 regarding how to proceed on remand. Accordingly, the parties respectfully request that this  
11 Court continue the status conference to January 22, 2024.

12 PHILLIP A. TALBERT  
13 United States Attorney

14 DATED: October 11, 2023

By /s/ Jeffrey Spivak  
JEFFREY SPIVAK  
Assistant United States Attorney  
Attorney for Plaintiff

17 HEATHER E. WILLIAMS  
18 Federal Defender

19 DATED: October 11, 2023

By /s/ Peggy Sasso  
PEGGY SASSO  
Assistant Federal Defender  
Attorney for Defendant  
JAMES LAMONT RICHARDSON

22 **ORDER**

23 The status conference scheduled for October 17, 2023 at 10:00 a.m. is continued one final  
24 time to January 22, 2024 at 10:00 a.m.

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26 IT IS SO ORDERED.

27 Dated: **October 11, 2023**

  
UNITED STATES DISTRICT JUDGE

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